

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOSE LORA,

Petitioner,

v.

CASE NO. 2:10-CV-00677  
CRIM. NO. 2:97-CR-101(5)

UNITED STATES OF AMERICA,

JUDGE SMITH

Respondent.

**OPINION AND ORDER**

On August 3, 2010, the Magistrate Judge recommended that this action be transferred to the United States Court of Appeals for the Sixth Circuit as a successive petition. Although the parties were advised of the right to object to the *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED** This action is **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit as a successive petition.

/s/ George C. Smith  
George C. Smith  
United States District Judge